

Dick Harris  
Law Office of Dick Harris, P.C.  
P.O. Box 3835  
Abilene, TX 79604  
Telephone (325) 677-3311  
Telecopy (325) 677-3314  
Email: dharris\_law\_firm@swbell.net  
State Bar No. 09056200

Attorney for Interbank, formerly  
Graham National Bank

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

<b>IN RE:</b>	§	
	§	<b>CASE NO. 12-70171-HDH-13</b>
<b>SHANE ALLAN BIVINS</b>	§	
	§	<b>Hearing: July 18, 2012</b>
<b>DEBTOR</b>	§	<b>10:00 a.m.</b>

**OBJECTION TO PLAN**

TO THE HONORABLE UNITED STATES BANKRUPTCY COURT:

NOW COMES Interbank, formerly Graham National Bank, and files this its Objection to the proposed Chapter 13 Plan of Shane Allan Bivins, Debtor, and in support thereof would respectfully show the Court as follows:

1. Interbank is a secured creditor herein and has filed six secured Proofs of Claim. Two of the claims are secured by real property and four of the claims are secured by vehicles, personal property and equipment.

2. Interbank objects to the Plan as it wholly fails to deal with one of its secured claims secured by real estate, Claim No. 13. Said claim was, at the time of the Petition, in the amount of

\$23,435.52 and is secured by real property located at 1016 Fourth Street, Graham, Texas. This claim is fully secured as the value exceeds the amount of the indebtedness.

3. Interbank further objects to the Plan as another of its claims, Claim No. 9, has been improperly scheduled and treated in the Plan. Interbank holds a claim in the amount of \$23,632.97 secured by three well servicing units more fully described as:

1975 Autocar 3 ½ ton truck #VPIFTGMO76824 equipped with C-65  
Double Drum Widatex Service Rig #855;

1980 Peterbilt 5 ton truck #2005D equipped with new copper draw  
works and derrick; and

1977 Chevy 6 ton truck #CMC957V128016 equipped with Wilson  
Double Drum Well Service Unit.

4. The Debtor's Schedules and Plan list only the 1975 Autocar as collateral for this claim. This claim is fully secured as the value of the three well servicing units exceeds the amount of the indebtedness.

WHEREFORE, Interbank, formerly known as Graham National Bank, prays the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan until the above deficiencies in the Chapter13 Plan are cured, and for such other and further relief, at law or in equity, to which Interbank may show itself to be justly entitled.

Respectfully submitted,

LAW OFFICE OF DICK HARRIS, P.C.  
POST OFFICE BOX 3835  
ABILENE, TEXAS 79604  
TELEPHONE (325) 677-3311  
TELECOPY (325) 677-3314  
EMAIL: dharris\_law\_firm@swbell.net

By: /s/ Dick Harris  
DICK HARRIS  
State Bar No. 09056200  
Attorney for Interbank, formerly Graham  
National Bank

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the above and foregoing Objection to Plan was sent by ECF and/or First Class Mail, postage prepaid, to Walter O'Cheskey, Chapter 13 Trustee, 6308 Iola, Lubbock, Texas 79424 and Monte J. White, attorney for Debtor, Monte J. White & Associates, P.C., 1106 Brook Avenue, Hamilton Place, Wichita Falls, TX 76301 on this the 11<sup>th</sup> day of July, 2012.

/s/ Dick Harris  
DICK HARRIS

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